HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.10929 OF 2006
Dated:15.06.2006

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Katari Subbalakshmi

…Petitioner

The Sub-Inspector of Police, Lakkavaram Police Station, West Godavari District and another.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
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ORAL ORDER: *(per Hon'ble Sri Justice D.S.R.Varma)*

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is registered on the basis of a telegram, dated 24.05.2006, allegedly sent by one Katari Subbalakshmi, W/o Katari Sarayya, R/o

Puttagarlagudem, Jangareddygudem Mandal, West Godavari District, as per the narration in the telegram, alleging that her husband was kidnapped by Lakkavaram Police.

3. After receipt of notice from this Court, an enquiry appears to have been caused by the first respondent-Sub-Inspector of Police, Lakkavaram Police Station, West Godavari District, and he filed counter-affidavit, *inter alia,* stating that the petitioner is not the wife of the alleged detenue but is wife of one Gurram Ramaiah; that the petitioner eloped with the alleged detenue about three months back and they have been residing somewhere else; that neither the alleged detenue nor the petitioner visited Putlagatlagudem nor Lakkavaram for the last three months; that the enquiry at the said places revealed that the alleged detenue was not taken into custody by Lakkavaram Police and his wife's name is S.Ganga. It is further stated that no complaint is received either from the husband of the petitioner or from the wife of the alleged detenue. It is the contemplation of the first respondent that the alleged detenue, with an apprehension that the husband of the petitioner may approach the Police in respect of the elopement of his wife, seems to have got issued this telegram through the petitioner. However, we are withstanding the said apprehension or statement

made in the counter-affidavit.

4. In the light of the above facts stated in the counter-affidavit of the first respondent, we are convinced that the alleged detenue was not arrested much less illegally by the Police.

5. Therefore, having regard to the facts and circumstances of the case stated in the counter-affidavit of the first respondent, we do not find any merit in this writ petition and the same is liable to be closed.

6. Accordingly, the writ petition is closed at the stage of admission.

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D.S.R.VARMA, J

15.06.2006
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P.SWAROOP REDDY, J